



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

Mountain  
Plains  
Region

1244 Speer Boulevard  
Denver, CO  
80204-3585

SEP 27 2004

Reply to  
Attn of: SP-04-27

Subject: Fluid Milk Provisions -- Reauthorization 2004: Implementation Memo

STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas, Missouri ED,  
(Special Nutrition Programs) Montana OPI, Nebraska, North Dakota,  
South Dakota, Utah and Wyoming

Section 102 of the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265) amended section 9(a)(2) of the Richard B. Russell National School Lunch Act (Russell) by removing (effective July 1, 2005) the requirement that schools participating in the National School Lunch Program (NSLP) offer students a variety of fluid milk consistent with prior year preferences. As amended, schools must offer fluid milk in a variety of fat contents and may offer flavored or unflavored milk and lactose-free fluid milk. This provision only applies to the NSLP as the School Breakfast Program and the Special Milk Program already have the flexibility to offer any type(s) of milk. The effective date allows school food authorities time to develop new procurement specifications for School Year 2005-06.

If you have any questions, please contact our office at (303) 844-0354.

*for* DARLENE SANCHEZ  
Regional Director  
Special Nutrition Programs

cc: CO Health, MO Health, an MT Health